

## Message Text

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PAGE 01 STATE 164560

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ORIGIN PM-07

INFO OCT-01 ARA-16 ADP-00 L-03 CIAE-00 INR-10 NSAE-00

RSC-01 SCA-01 NSC-10 CPR-02 /051 R

DRAFTED BY PM/ISO:FJFLEMINGS;ISA/FMRA:RGLONG:GJG

8/16/73 EXT 21003

APPROVED BY ARA/LA:JBKUBISCH

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ARA/LA/EP - MR. GUTHRIE

L/PM - MR. FIELDS

ARA/LA/EP: MR. PRINGLE

----- 121041

R 172359Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY QUITO

INFO OSD/ISA

DMA WASHDC

DMA-IAGS FT CLAYTON CANAL ZONE

C O N F I D E N T I A L STATE 164560

E.O. 11652: GDS-1979

TAGS: TEGEN/MARR/EC

SUBJECT: IAGS/E AGREEMENT ON PRIVILEGES AND IMMUNITIES

AND ON MAPPING

REF: A. QUITO A-34, 2/27/73

B. STATE 098843

1. THE DEPARTMENT HAS COMPLETED REVIEW OF THE DRAFT AGREEMENT ON PRIVILEGES AND IMMUNITIES FOR THE IAGS MISSION IN ECUADOR FORWARDED BY REF. A.

2. WE CONCUR WITH RECOMMENDATION CONTAINED REF.A AND YOU ARE AUTHORIZED TO PROCEED WITH THE SIGNING OF THE AGREEMENT

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PAGE 02 STATE 164560

MENT ON IMMUNITIES AND PRIVILEGES SUBJECT TO ELIMINATION OR

MODIFICATION OF THE REFERENCE IN SECTION I LIMITING THE DUTY-FREE IMPORTATION OF ITEMS SIMILAR TO THOSE MADE IN ECUADOR. THE GOE SHOULD BE INFORMED THAT SECTION I IS NOT ACCEPTABLE IN ITS PRESENT FORM. IF THE GOE DOES NOT AGREE TO THE ELIMINATION OF THIS CLAUSE, AN ACCEPTABLE MODIFICATION WOULD BE TO SUBSTITUTE THE WORDS "THE SAME AS" FOR THE WORDS "SIMILAR TO" IN THE LAST SENTENCE OF SECTION I.

3. WE CONCUR WITH YOUR SPECIFIC COMMENTS ON PAGE 2 OF REF. A ON THE IMPORTANT GOE CHANGES TO THE PREVIOUSLY APPROVED TEXT, AND WE HAVE NO ADDITIONAL COMMENTS ON THE SUBSTANTIVE CONTENT OF THE ENGLISH TEXT.

4. EMBASSY CLARIFICATION ON ONE MINOR POINT IS REQUESTED. IN SECTION 4, SUBPARAGRA A, THE FIRST LINE "AT THE REQUEST OF THE COMPETENT ECUADOREAN AUTHORITY, ..." IS NOT CLEAR. ARE ALL ACCREDITATION REQUESTS FOR ALL IAGS MISSION PERSONNEL TO BE FORWARDED TO THE ECUADOREAN AUTHORITIES, OR ONLY WHEN REQUESTED BY THE ECUADOREAN AUTHORITIES?

5. THE ENGLISH AND SPANISH TEXTS OF THE IMMUNITIES AND PRIVILEGES AGREEMENT HAVE BEEN COMPARED AND HAVE BEEN FOUND TO HAVE THE SAME MEANING IN ALL SUBSTANTIVE RESPECTS, WITH THE FOLLOWING EXCEPTIONS:

A. PAGE 1, SECOND PREAMBLE CLAUSE: THE SPANISH TEXT OMITS THE TRANSLATION FOR "UNITED STATES" APPEARING IN THE ENGLISH TEXT PHRASE: "...PRIVILEGES FOR THE UNITED STATES INTER AMERICAN GEODETIC SURVEY MISSION IN ECUADOR..." THE SPANISH TEST SHOULD BE CORRECTED TO INCLUDE THESE TWO WORDS.

B. PAGE 2, LINE 4 OF SECTION FOUR OF THE SPANISH TEXT: AFTER THE WORD "TECNICO" APPEAR THE WORDS "DE LA MA." THIS PHRASE HAS NO MEANING AND APPEARS TO BE A TYPOGRAPHICAL ERROR. PRESUMING THIS WAS A TYPOGRAPHICAL ERROR, THESE THREE WORDS SHOULD BE DELETED FROM THE SPANISH TEXT.

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PAGE 03 STATE 164560

C. SUBPARAGRAPH D OF SECTION FOUR APPEARING AT THE BOTTOM OF PAGE 2 OF THE ENGLISH TEXT HAS BEEN OMITTED ENTIRELY FROM PAGE 3 OF THE SPANISH TEXT. SUBPARAGRAPH D APPEARING ON PAGE 3 OF THE SPANISH TEXT IS THE SPANISH VERSION FOR SUBPARAGRAPH E OF THE ENGLISH TEXT. THE SPANISH TRANSLATION OF THE ENGLISH TEXT OF SUBPARAGRAPH D SHOULD BE INSERTED IN THE SPANISH TEXT ON PAGE 3, AND EXISTING SUBPARAGRAPH "D" SHOULD BE RELETTERED

"E."

6. AS NOTED IN REF. B, WE HAVE BEEN STUDYING THE RELATIONSHIP OF THE AGREEMENT ON IMMUNITIES AND PRIVILEGES WITH THE PROPOSED U.S.-ECUADOR MAPPING, CHARTING, AND GEODESY (MC&G) AGREEMENT. WHILE THE IMMUNITIES AND PRIVILEGES AGREEMENT SPECIFICALLY ADDRESSES THE IAGS MISSION, WE HAVE NOTED THAT THE MC&G AGREEMENT IS INTENTIONALLY BROAD IN SCOPE, AND IS INTENDED TO COVER A WIDE VARIETY OF POTENTIAL COOPERATIVE PROGRAMS WITH THE GOE. THEREFORE, WE DO NOT CONSIDER THAT THE MC&G AGREEMENT SHOULD BE AMENDED TO ESTABLISH A RELATIONSHIP WITH THE IMMUNITIES AND PRIVILEGES

AGREEMENT. WE DO PROPOSE ONE CHANGE FOR PURPOSES OF CLARIFICATION. UNDER ARTICLE VI, SUBPARAGRAPH C OF THE MC&G AGREEMENT, WE PROPOSE SUBSTITUTING THE WORDS "COMPENSATED DIRECTLY OR INDIRECTLY BY" FOR THE WORD "SERVING" FOLLOWING "CONTRACTOR PERSONNEL." THIS CHANGE PROVIDES FOR THE POSSIBILITY OF SUBCONTRACTOR ARRANGEMENTS.

7. WE WOULD APPRECIATE RECEIVING A COPY OF THE LAW ON DIPLOMATIC, CONSULAR AND INTERNATIONAL ORGANIZATION IMMUNITIES, PRIVILEGES AND FRANCHISES REFERENCED IN SECTION TWELVE OF THE AGREEMENT ON IMMUNITIES AND PRIVILEGES. ROGERS

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## Message Attributes

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